

Chapter 15 Commonwealth Merit Scholarship

11 KAR Chapter 15

11 KAR 15:010. Definitions for 11 KAR Chapter 15.

RELATES TO: KRS 164.7871-164.7885, 20 U.S.C. 1087II

STATUTORY AUTHORITY: KRS 164.748(4), 164.7885(7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.748(4) requires the authority to promulgate administrative regulations pertaining to the awarding of grants, scholarships, and honorary scholarships as provided in KRS 164.740 to 164.785. KRS 164.7885(7) requires the authority to promulgate administrative regulations for the administration of the Kentucky Educational Excellence Scholarship Program. This administrative regulation establishes the definitions for 11 KAR Chapter 15.

Section 1. Definitions. (1) "Academic term" is defined in KRS 164.7874(1) and 13 KAR 2:090, Section 1(1).

(2) "ACT score" is defined in KRS 164.7874(3).

(3) "Authority" is defined in KRS 164.7874(4).

(4) "Award period" is defined in KRS 164.7874(5).

(5) "Correspondence course" means a home study course that:

(a) Is provided by an educational institution under which the institution provides instructional materials, including examinations on the materials, to students who are not physically attending classes at the institution;

(b) Meets the following requirements:

1. When a student completes a portion of the instructional materials, the student takes the examinations that relate to that portion of the materials, and return the examinations to the institution for grading;

2. The institution provides instruction through the use of video cassettes or video discs in an academic year unless the institution also delivers the instruction on the cassette or disc to students physically attending classes at an institution during the same academic year; and

3. If a course is part correspondence and part residential training, the course shall be considered to be a correspondence course; and

(c) Does not include courses from the Kentucky Commonwealth Virtual University (KCVU).

(6) "Council" is defined in KRS 164.7874(7).

(7) "Eligible high school student" is defined in KRS 164.7874(8).

(8) "Eligible postsecondary student" is defined in KRS 164.7874(9).

(9) "Eligible program of study" means, for purposes of enrollment in a participating institution, a postsecondary, undergraduate program that:

(a)1. Leads to a certificate, diploma, or associate or baccalaureate degree;

2. Is designated as an equivalent undergraduate program of study by the council in an administrative regulation; or

3. Is a degree program in a field of study that is not available at any participating institution in the Commonwealth but is offered at an out-of-state institution designated by the council as an approved participating institution; and

(b) May include study abroad or away from the main campus if the student pays tuition to, and is given academic credit by, the participating institution for the study, except that a correspondence course shall not be included.

(10) "Full-time student" is defined in KRS 164.7874(10).

(11) "Grade point average" is defined in KRS 164.7874(11).

(12) "High school" is defined in KRS 164.7874(12).

(13) "KEES" is defined in KRS 164.7874(13).

(14) "KEES Program officer" means the official designated on the administrative agreement, pursuant to KRS 164.748(6) and 164.7874(18), to serve as the participating institution's on-campus agent to certify all institutional transactions and activities with respect to the Kentucky Educational Excellence Scholarship Program.

(15) "Kentucky Educational Excellence Scholarship" is defined in KRS 164.7874(15).

(16) "Maximum award amount" is defined in KRS 164.7874(17).

(17) "Participating institution" is defined in KRS 164.7874(18).

(18) "Part-time student" is defined in KRS 164.7874(19).

(19) "Supplemental award" is defined in KRS 164.7874(20). (25 Ky.R. 464; Am. 816; eff. 10-1-98; 27 Ky.R. 1036; 1440; eff. 12-21-2000; 29 Ky.R. 170; eff. 9-9-02; 30 Ky.R. 366; 840; eff. 10-31-03.)

11 KAR 15:020. Student eligibility report.

RELATES TO: KRS 164.7885(4)

STATUTORY AUTHORITY: KRS 164.748(4), 164.7885(7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.748(4) requires the authority to promulgate administrative regulations pertaining to the awarding of grants, scholarships, and honorary scholarships as provided in KRS 164.740 to 164.785. KRS 164.7885(7) requires the authority to promulgate administrative regulations for the administration of the Kentucky Educational Excellence Scholarship Program. This administrative regulation establishes the procedure for a participating institution to report renewal eligibility of a student for a Kentucky Educational Excellence Scholarship.

Section 1. Initial Eligibility Verification. (1) The participating institution shall submit to the authority an eligibility verification file after the beginning of the academic term.

(a) For each eligible student, the eligibility verification file shall contain:

1. The student's name and Social Security number;
2. The full-time or part-time enrollment status, measured in credit hours or credit hour equivalent; and
3. The student's highest ACT score attained by the date of graduation from high school unless the authority receives the ACT score directly from the testing services.

(b) The KEES program officer shall certify the eligibility of the eligible postsecondary student and transmit the file electronically to the authority according to instructions provided by the authority in accordance with subsection (2) of this section.

(2) The instructions provided by the authority shall specify:

(a) Conditions under which KEES funds shall be disbursed to the benefit of the eligible postsecondary student pursuant to 11 KAR 15:050; and

(b) Conditions under which KEES funds shall be returned to the authority pursuant to 11 KAR 15:060.

(3)(a) A participating institution that does not submit an eligibility verification file according to the instructions shall not receive KEES funds until it has satisfied the requirements in subsection (1) of this section.

(b) The authority may withhold any services and funds from the participating institution until the file and all funds advanced, that remain undisbursed to eligible postsecondary students, are received by the authority.

Section 2. Renewal Eligibility Verification. (1) The participating institution shall electronically submit to the authority a renewal eligibility file not later than June 30 after the completion of the award period. The renewal eligibility file shall contain the name, Social Security number, and the cumulative grade point average for all eligible students.

(2) A participating institution that does not submit a renewal eligibility file by June 30 shall not receive KEES funds until it has satisfied the requirement in subsection (1) of this section. The authority may withhold any service and funds from the participating institution and initiate action to terminate, suspend or limit participation of the institution pursuant to 11 KAR 4:020 until the file is received by the authority. (25 Ky.R. 465; Am. 817; eff. 10-1-98; 27 Ky.R. 1037; 1440; eff. 12-21-2000.)

11 KAR 15:030. Dual enrollment under consortium agreement.

RELATES TO: KRS 164.7871-164.7885

STATUTORY AUTHORITY: KRS 164.748(4), 164.7885(7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.748(4) requires the authority to promulgate administrative regulations pertaining to the awarding of grants, scholarships, and honorary scholarships as provided in KRS 164.740 to 164.785. KRS 164.7885(7) authorizes the authority to promulgate administrative regulations for the administration of the Kentucky Educational Excellence Scholarship Program. This administrative regulation establishes the conditions for KEES eligibility for a student simultaneously enrolled in two (2) or more participating institutions.

Section 1. For purposes of the Kentucky Educational Excellence Scholarship program, a student who is otherwise eligible pursuant to KRS 164.7871 through 164.7885 and is enrolled simultaneously in two (2) or more participating institutions pursuing a program of study jointly offered by those institutions, shall be eligible under this section if:

- (1) The eligible program of study is covered by a consortium agreement between the participating institutions; and
- (2) The eligible postsecondary student is carrying a combined academic workload at all participating institutions in the consortium equal to at least half-time enrollment at the primary institution.

Section 2. Consortium Agreement. Two (2) or more participating institutions in the Kentucky Educational Excellence Scholarship Program shall, for purposes of Section 1 of this administrative regulation, execute a consortium agreement which meets at least the following terms and conditions:

- (1) The agreement shall be written and signed by authorized representatives of each participating institution;
- (2) The agreement shall designate which participating institution will serve as the "primary" institution; and
- (3) The agreement shall specify that the primary institution shall perform the duties set forth in Section 3 of this administrative regulation.

Section 3. Duties of Primary Institution. For purposes of Section 2 of this administrative regulation, the primary institution designated in a consortium agreement shall assume the following duties and responsibilities:

- (1) Maintain all records, including information from all participating institutions about the eligible postsecondary student's grades, institutional costs incurred, financial aid received, enrollment, and all other information related to the student's eligibility as is required to be maintained on any other KEES recipient enrolled in the primary institution;
- (2) Disburse the Kentucky Educational Excellence Scholarship to the eligible postsecondary student;
- (3) Confer academic credit to the eligible postsecondary student for all courses completed at other participating institutions under the consortium agreement as if the courses had been provided by the primary institution;
- (4) Monitor the eligible postsecondary student's enrollment status at all participating institutions in the consortium and indicate the student's enrollment at the primary institution as the equivalent of the combined enrollment at all participating institutions in the consortium;
- (5) Calculate any refund or repayment and make an applicable refund based on the primary institution's refund policy, as provided in 11 KAR 15:060 based upon a change in enrollment at a participating institution in the consortium, as if the student were enrolled at the primary institution; and
- (6) Provide to the authority, on behalf of all participating institutions in the consortium, all required reports and notifications as if the eligible postsecondary student were enrolled only at the primary institution.

Section 4. The consortium agreement may contain other terms or conditions, not inconsistent with this administrative regulation, as may be deemed necessary or appropriate by the participating institutions. (25 Ky.R. 467; Am. 817; eff. 10-1-98; 27 Ky.R. 1039; eff. 12-21-2000.)

11 KAR 15:040. Kentucky Educational Excellence Scholarship award determination procedure.

RELATES TO: KRS 164.7881(4)

STATUTORY AUTHORITY: KRS 164.748(4), 164.7881(4)(b), 164.7885(7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.748(4) requires the authority to promulgate administrative regulations pertaining to the awarding of grants, scholarships, and honorary scholarships as provided in KRS 164.740 to 164.785. KRS 164.7885(7) authorizes the authority to promulgate administrative regulations for the administration of the Commonwealth Merit Scholarship Program, renamed Kentucky Educational Excellence Scholarship (KEES) Program by EO 98-1592. KRS 164.7881(4)(b) requires the authority to promulgate an administrative regulation to proportionately reduce the maximum award amount for an eligible student enrolled part time. This administrative regulation establishes the conditions for KEES eligibility for eligible students enrolled on a part-time basis.

Section 1. Reduction for Part-time Study. (1) If an eligible student is enrolled as a part-time student for an academic term, the maximum award amount to which the student is entitled shall be as follows:

- (a) Fifty (50) percent if enrolled for six (6) hours;
 - (b) Fifty-eight (58) percent if enrolled for seven (7) hours;
 - (c) Sixty-seven (67) percent if enrolled for eight (8) credit hours;
 - (d) Seventy-five (75) percent if enrolled for nine (9) hours;
 - (e) Eighty-three (83) percent if enrolled for ten (10) hours;
 - (f) Ninety-two (92) percent if enrolled for eleven (11) hours; and
 - (g) 100 percent if enrolled for twelve (12) hours or more.
- (2) The equivalent academic unit of measurement shall be used to correspond to a credit hour, if the participating institution does not use credit hours.
- (3) A participating institution shall determine full-time and less than full-time enrollment status for purposes of subsection (1) of this section in the same manner as the participating institution uses to determine enrollment status for Pell Grant eligibility. (25 Ky.R. 468; Am. 818; eff. 10-1-98; 25 Ky.R. 2923; eff. 9-1-99.)

11 KAR 15:050. Disbursement.

RELATES TO: KRS 164.7885(4)

STATUTORY AUTHORITY: KRS 164.748(4), 164.7885(7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.748(4) requires the authority to promulgate administrative regulations pertaining to the awarding of grants, scholarships, and honorary scholarships as provided in KRS 164.740 to 164.785. KRS 164.7885(7) requires the authority to promulgate administrative regulations for the administration of the Kentucky Educational Excellence Scholarship Program. This administrative regulation establishes the disbursement procedures for Kentucky Educational Excellence scholarships.

Section 1. Disbursement of Funds. (1) KEES funds shall be disbursed by the authority to the participating institution in the form of a single check, made payable to the participating institution, or by electronic funds transfer delivered to the participating institution for subsequent delivery to the eligible postsecondary student.

(2) Within thirty (30) days following receipt of the eligibility verification file, the disbursement of KEES funds by the authority to the participating institution shall be made for subsequent delivery by the institution to an eligible postsecondary student.

Section 2. Delivery of funds by the participating institution. (1) The participating institution shall be responsible for proper delivery of KEES funds. The participating institution shall not make KEES funds available to the eligible postsecondary student nor apply the funds to the recipient's account prior to the date that the eligible postsecondary student has completed the registration requirements (except for the payment of tuition and fees) at the participating institution for the academic term for which the Kentucky Educational Excellence Scholarship is disbursed.

(2) The participating institution shall be liable for delivery to the wrong person or to an ineligible student and shall make restitution to the authority of an amount improperly delivered. Failure of the participating institution to make restitution as required shall, without precluding other remedies, be deemed cause for limitation, suspension, or termination of the participation of the institution in accordance with 11 KAR 4:020. (25 Ky.R. 470; Am. 818; eff. 10-1-98; 27 Ky.R. 1040; eff. 12-21-2000.)

11 KAR 15:060. Kentucky Educational Excellence Scholarship overpayment and refund and repayment procedure.

RELATES TO: KRS 164.7871-164.7885

STATUTORY AUTHORITY: KRS 164.748(4), 164.7885(7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.748(4) requires the authority to promulgate administrative regulations pertaining to the awarding of grants, scholarships, and honorary scholarships as provided in KRS 164.740 to 164.785. KRS 164.7885(7) authorizes the authority to promulgate administrative regulations for the administration of the Kentucky Educational Excellence Scholarship Program. This administrative regulation establishes the conditions and procedures for refund or repayment of Kentucky Educational Excellence Scholarship funds.

Section 1. (1) If a student who earned a Kentucky Educational Excellence Scholarship (KEES) or supplemental award, fails to enroll, withdraws, is expelled from the institution, or otherwise fails to complete the program on or after his first day of class of the period of enrollment or changes enrollment status, the student may be due a refund of monies paid to the institution on behalf of that student or may owe a repayment of cash disbursements made to the student for educational expenses.

(2) If the student received a Kentucky Educational Excellence Scholarship or supplemental award, all or a portion of the refund and repayment shall be due to the authority for its financial assistance programs in accordance with Sections 2 and 3 of this administrative regulation.

Section 2. (1) The institution shall adopt and implement a fair and equitable refund and repayment policy for financial assistance administered by the authority which shall be:

- (a) A clear and conspicuous written statement;
- (b) Made available to a prospective student, prior to the earlier of the student's enrollment or the execution of the student's enrollment agreement, and to currently-enrolled students;
- (c) Consistently administered by the institution; and
- (d) Made available to the authority upon request.

(2) The institution's refund and repayment policy for financial assistance administered by the authority may use the same methods and formulas for determining the amount of a refund or repayment as the institution uses for determining the return of federal financial assistance funds or the institution may adopt a separate and distinct policy that is based upon:

- (a) The requirements of applicable state law; or
 - (b) The specific refund standards established by the institution's nationally-recognized accrediting agency.
- (3) The amount of the refund and repayment shall be determined in accordance with the educational institution's refund and repayment policy relative to financial assistance funds, except as provided in Section 3 of this administrative regulation.
- (4) When the institution determines that a refund or repayment of financial assistance is due in accordance with its policy, the institution shall allocate to the financial assistance programs administered by the authority the refund and repayment in the following descending order of priority prior to allocating the refund to institutional or private sources of financial assistance:

- (a) CAP grant;
- (b) KTG;
- (c) Teacher scholarship;
- (d) Kentucky Educational Excellence Scholarship;
- (e) National Guard tuition assistance;
- (f) Early Childhood Development Scholarship;

Section 3. (1) When a KEES recipient officially or unofficially withdraws from or is expelled by an institution before the first day of classes of the award period, the award shall be deemed an overaward and a full refund or repayment of the KEES award shall be required, notwithstanding any institutional policy to the contrary.

(2) If the institution is unable to document the student's last date of attendance, any KEES disbursement for that award period shall be subject to full refund and repayment.

(3) If, at any time, a KEES recipient's enrollment is terminated with no assessment of tuition and fees by the institution, then the full KEES award shall be subject to cancellation, if not yet disbursed, or refund and repayment if the grant has already been disbursed.

Section 4. If a student earned a Kentucky Educational Excellence Scholarship or supplemental award but did not earn the entire amount of award funds the participating institution applies to the student's account or disburses to the student for an academic term, the participating institution and the student shall be jointly and severally liable to repay to the authority the amount of the overpayment.

(2) If a student did not earn a Kentucky Educational Excellence Scholarship or supplemental award and the participating institution applies to that student's account or disburses to that student Kentucky Educational Excellence Scholarship or supplemental award funds for an academic term, the participating institution and the student shall be jointly and severally liable to repay to the authority the entire amount of Kentucky Educational Excellence Scholarship and supplemental award funds applied to that student's account and disbursed to that student.

Section 5. The institution shall remit to the authority the amount of funds allocated from the refund amount to the financial assistance programs administered by the authority as soon as possible but no later than thirty (30) days after the end of the term in which the student ceased to be enrolled.

Section 6. (1) If a refund is due from the participating institution or a repayment is due from a student, the participating institution shall transmit to the authority the refund and shall report:

- (a) The student's name and Social Security number;
- (b) The reason for the refund or repayment;
- (c) The date of enrollment status change;
- (d) The academic term and award period; and
- (e) The calculation used for determining the refund or repayment.

(2) Failure of the institution to make restitution when required shall, without precluding other remedies, be deemed cause for limitation, suspension or termination of the participation of the institution in accordance with 11 KAR 4:020. (25 Ky.R. 472; Am. 819; eff. 10-1-98; 26 Ky.R. 2290; eff. 8-14-2000; 27 Ky.R. 3316; eff. 8-15-2001.)

11 KAR 15:070. Records and reports.

RELATES TO: KRS 164.7871-164.7885

STATUTORY AUTHORITY: KRS 164.748(4), 164.7885(7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.748(4) requires the authority to promulgate administrative regulations pertaining to the awarding of grants, scholarships, and honorary scholarships as provided in KRS 164.740 to 164.785. KRS 164.7885(7) authorizes the authority to promulgate administrative regulations for the administration of the Kentucky Educational Excellence Scholarship Program. This administrative regulation establishes the conditions and procedures for a participating institution to maintain records and make available to the authority records and reports necessary to the implementation of the Kentucky Educational Excellence Scholarship Program.

Section 1. A participating institution shall:

- (1) Establish an organized system of records pertaining to Kentucky Educational Excellence Scholarship recipient eligibility;
- (2) Maintain these records for a period of not less than three (3) years after the award year in which the recipient ceased enrollment; and
- (3) Upon request, make available to the authority:
 - (a) All records relied upon by that institution to certify that a recipient of funds from the authority is an eligible postsecondary student; and
 - (b) Information necessary to verify that the institution has complied with 11 KAR Chapter 15, and representations and requirements contained in its administrative agreement with the authority. (25 Ky.R. 474; Am. 819; eff. 10-1-98; 27 Ky.R. 1042; 1441; eff. 12-21-2000.)

11 KAR 15:080. High school reporting.

RELATES TO: KRS 164.7885(4)

STATUTORY AUTHORITY: KRS 164.748(4), 164.7885(7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.748(4) requires the authority to promulgate administrative regulations pertaining to the awarding of grants, scholarships, and honorary scholarships as provided in KRS 164.740 to 164.785. KRS 164.7885(7) requires the authority to promulgate administrative regulations for the administration of the Kentucky Educational Excellence Scholarship Program. This administrative regulation establishes the deadline for high schools to report changes in KEES data to the authority.

Section 1. The high school shall submit additions, changes, or corrections to a student's high school grade point average or ACT score to the authority not later than three (3) months after an eligible postsecondary student begins enrollment at a participating institution for the first time after graduation from high school. The authority shall not accept any additions, changes, or corrections to a student's high school grade point average or ACT score submitted by the high school after that date and the student's eligibility shall be determined based on that information as of that date except that ineligibility for this reason may be waived by the executive director of the authority, at the recommendation of a designated staff review committee, for cause. (29 Ky.R. 199; Am. 703; eff. 9-9-02.)

KENTUCKY HIGHER EDUCATION ASSISTANCE AUTHORITY

Division of Student and Administrative Services

(As Amended at ARRS, August 9, 2005)

11 KAR 15:090. Kentucky Educational Excellence Scholarship (KEES) Program.

RELATES TO: KRS 154A.130(4), [164.7535,] 164.7871, 164.7874, 164.7877, 164.7879, 164.7881, 164.7885, 164.7889

STATUTORY AUTHORITY: KRS [164.020(29),] 164.7874, 164.7877(3), 164.7879(1), (2), (3), 164.7881(4)(a), (c), (6)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 164.7877(3) requires the Authority [council] to administer the Kentucky Educational Excellence Scholarship (KEES) **trust fund** [Program. KRS 164.7877(3) requires the Authority [council] to administer the funds appropriated to the trust fund for the program]. KRS 164.7874(14) requires the Authority [council] to determine the KEES curriculum's courses of study. KRS 164.7879(3)(c) requires the Authority [council] to determine the eligibility of a noncertified, nonpublic high school graduate and for a GED recipient for a supplemental award. KRS 164.7874(3) requires the Authority [council] to establish a table to convert an SAT score to an ACT standard. KRS 164.7881(6) requires the Authority [council] to establish a five (5) year postsecondary education program standard. KRS 164.7881(4)(a) requires the Authority [council] to establish overall award levels for the program. KRS 164.7879(2)(c) requires the Authority [council] to determine eligibility for children of parents who are in the military and who claim Kentucky as their home of record. KRS [164.7535 and] 164.7881(4)(c) **requires** [require] the Authority [council] to identify equivalent undergraduate programs of study. This administrative regulation establishes those requirements relating to the Kentucky Educational Excellence Scholarship (KEES) Program.

Section 1. Definitions. (1) "Academic term" means the fall or spring semester or their equivalence under a trimester or quarter system at a postsecondary education institution and shall not include summer sessions.

(2) ["Academic year" is defined in KRS 164.7874(2).]

(3) "Accredited out-of-state high school" means a high school that is:

(a) Located in a state other than Kentucky or in another country; and

(b) A member of an organization belonging to the Commission on International and Trans-Regional Accreditation.

(3) [(4)] "ACT" means the test:

(a) Administered to a student for entrance to a Kentucky postsecondary education institution; and

(b) Owned by the ACT Corporation of Iowa City, Iowa.

(4) [(5)] "Advanced placement" means a cooperative educational endeavor between secondary schools and colleges and universities administered by the College Board of the Educational Testing Service and recognized by KDE.

(5) [(6)] "Authority" or "KHEAA" is defined in KRS 164.7874(4).

(7) "Council" or "CPE" is defined in KRS 164.7874(7).

(8) "Cumulative grade point average" means the total grade point average for a postsecondary education student as reported by the postsecondary education institution where a student is currently enrolled.

(6) [(9)] "Department of Defense school" means a school operated by the U. S. Department of Defense for the purpose of providing a high school education to a child whose custodial parent or guardian is in active military or diplomatic service in a state other than Kentucky or in another country.

(7) [(10)] "Eligible high school student" is defined in KRS 164.7874(8) and 164.7879(2)(c).

(11)] "Enrolled" means the status of a student who has completed the registration requirements, except for the payment of tuition and fees, at a participating postsecondary education institution that a student is attending.

(8) [(12)] "GED" means a general educational development diploma awarded to a student.

(9) [(13)] "High school" is defined in KRS 164.7874(12).

(14)] "International baccalaureate course" means a course in a secondary education program sponsored by the International Baccalaureate Organization and recognized by the KDE in 704 KAR 3:340, Section 2(3)(b).

(10) [(15)] "KDE" means the Kentucky Department of Education authorized and established pursuant to KRS 156.010.

(11) [(16)] "KEES curriculum" is defined in KRS 164.7874(14).

(17) "Participating institution" is defined in KRS 164.7874(18).

(18)] "SAT" means the test:

(a) Administered to a student for entrance to a Kentucky postsecondary education institution; and

(b) Owned by the College Board.

Section 2. High School Grade Point Average Calculation and Reporting. (1) An eligible high school student's grade point average[~~as defined in KRS 164.7874(11);~~] for an academic year shall be calculated using each grade awarded for all courses taken during an academic year.

(2)(a) Except as provided in paragraph (b) of this subsection, an eligible high school student's grade point average shall be calculated by:

1. Taking the number of units in a course multiplied by the course grade as expressed on a 4.0 point grading scale where 4.0 is an "A" and 0.0 is an "F;"

2. Adding the total number of points accumulated for an academic year; and

3. Dividing the total number of points accumulated in subparagraph 2 of this paragraph by the total number of units for the academic year.

(b) [~~Notwithstanding the provisions of paragraph (a)1 of this subsection;~~] For an eligible high school student taking an advanced placement or international baccalaureate course during the academic year, the grade assigned shall be calculated using a 5.0 point scale where 5.0 is an "A" and 1.0 is an "F."

(3) The grade point average reported for an eligible high school student for each academic year shall include all information as set forth in KRS 164.7885(1) **be submitted to the authority in either an electronic or hard copy format** [~~and in the manner as~~] [the KDE or] [the Authority] [KHEAA] [shall require].

(4) A high school student who participated in an educational high school foreign exchange program or the Congressional Page School that was approved by the student's local high school shall have the student's grade point average reported in accordance with KRS 164.7879(2)(b).

Section 3. High School Students of Custodial Parents or Guardians in Active Military Service. (1)(a) For purpose of determining eligibility under the provisions of KRS 164.7879(2)(c), a high school student shall establish that the custodial parent or guardian meets the requirements of KRS 164.7879(2)(c)1 and 2 and shall submit the [~~council's~~] "Home of Record Certification" to the Authority [~~designated as KEES 102~~].

(b) [~~The council annually shall certify to the Kentucky Department of Education the names of students who are eligible under the provisions of KRS 164.7879(2)(c).~~

(c)] The Authority [~~council~~] annually shall notify the eligible high school student and the custodial parent or guardian of the student's eligibility.

(2)(a) A high school student, determined to be eligible for the KEES program under the terms of KRS 164.7879(2)(c) and subsection (1)(a) of this section, shall be responsible for:

1. Requesting grade and curriculum information from the local school; and
2. Requesting that the local school submit the information to the Authority [~~Kentucky Department of Education~~] using the [~~Kentucky Department of Education's~~] "Curriculum Certification" Form [KEES-202] and the "Data Submission" Form [KEES-302].

(b) The Authority [~~Kentucky Department of Education~~], upon receipt of curriculum and grade information from an accredited out-of-state high school or Department of Defense school for a student determined to be eligible for the KEES Program under this section, shall:

1. Verify that the submitted curriculum meets the requirements of Section 4 of this administrative regulation;
2. Verify that the out-of-state high school or Department of Defense school is an accredited high school; **and**
3. Retain the "Curriculum Certification" on file until the student's eligibility has expired[; ~~and~~
4. Submit the grade information to the KHEAA].

Section 4. Postsecondary Student Eligibility and KEES Curriculum. (1) A Kentucky postsecondary student shall be eligible to receive a base scholarship award if the student:

- (a) Has earned a base scholarship award in high school;
- (b) Has completed the KEES curriculum as set forth in subsection (2) of this section;
- (c) Has graduated from a Kentucky high school except as provided in Section 2(4) or 3 of this administrative regulation; and
- (d) Is enrolled in a participating institution in an eligible program.

(2) Except as provided in subsection (4) of this section, the KEES curriculum shall consist of the courses and electives required by this subsection.

(a) [~~For a student enrolled in high school during the 1998-1999 academic year, the curriculum required in 704 KAR 3:305, Section 1 or 2, as appropriate without restriction on the type of electives taken.~~

(b) [~~For a student enrolled in high school during the 1999-2000 and 2000-01 academic years and who is required to meet the curriculum standards in 704 KAR 3:305, Section 1, the eight (8) electives required by 704 KAR 3:305, Section 1, shall be taken in the areas and according to the standards established in paragraph (d) of this subsection.~~

(e)] For a student enrolled in high school [~~during 1999-2000 and for each year thereafter~~] who is required to meet the curriculum standards in 704 KAR 3:305, Section 2, five (5) of the seven (7) electives required by 704 KAR 3:305, Section 2 shall be taken in the areas and according to the standards established in paragraph (b) [(d)] of this subsection.

(b) [(d)] The following subject areas and standards shall be applicable for electives. An elective in:

1. Social studies, science, mathematics, English/language arts, or arts and humanities shall be a course whose academic content is as rigorous as the content established for courses in this area in 703 KAR 4:060.
2. Physical education or health shall be a course whose academic content is as rigorous as the content established for courses in this area in 703 KAR 4:060, and shall be limited to one-half (1/2) academic unit of credit for each area.
3. Foreign languages shall be a course whose academic content includes teaching the spoken and written aspects of the language.
4. Agriculture, industrial technology education, business education, marketing education, family and consumer sciences, health sciences, technology education or career pathways shall be a course whose academic content is beyond the introductory level in the vocational education areas of study as established by 703 KAR 4:060.

(3) A student who graduates from high school at the end of the fall semester of his or her senior year and who meets the requirements of KRS 164.7874(14) shall be eligible to earn a KEES award for that year upon:

(a) Completion of no fewer than three (3) courses of study; and

(b) Satisfying the provisions of KRS 164.7879.

(4) A high school may substitute an integrated, applied, interdisciplinary or higher level course for a required course or required elective if:

(a) The course provides the same or greater academic rigor and the course covers the minimum required content areas or exceeds the minimum required content areas established in 703 KAR 4:060, and the document "Academic Expectations"; or

(b) The course is an honors course, cooperative education course, advanced placement course, international baccalaureate course, dual credit course, or a course taken at a postsecondary education institution.

(5) A high school annually shall provide written documentation to a student on whether the student's schedule of coursework meets the requirements of the KEES curriculum.

Section 5. Eligible Postsecondary Education Programs. (1) An eligible program shall be a certificate or degree program offered by a participating institution and recognized by the Authority ~~[council]~~.

(2) An eligible program at an out-of-state participating institution shall be limited to those programs that qualify through the Academic Common Market administered by the Southern Regional Education Board except as provided in subsection (4) of this section.

(3) Pursuant to KRS 164.7881(6), the following academic programs at Kentucky postsecondary education institutions shall be approved as five (5) year baccalaureate degree programs:

(a) Landscape architecture (04.0601); and

(b) For students that graduated from high school not later than the 2004-2005 [2003-2004] academic year, engineering (14.0101, 14.201, 14.0301, 14.401, 14.501, 14.0701, 14.0801, 14.0901, 14.1001, 14.1201, 14.1301, 14.1401, 14.1701, 14.1801, 14.1901, 14.2101, 14.2301, 14.2401, 14.2801, 14.9999.01, 14.3501).

(4) Pursuant to KRS ~~[164.7535 and]~~ 164.7881(4)(c)1, an academic program shall be designated as an equivalent undergraduate program of study if the student in the program of study:

(a) Has not received eight (8) semesters of a KEES award;

(b) Is classified by an institution as a graduate or professional student and is enrolled in one (1) of the following academic programs:

1. Pharm. D;

2. The optometry or veterinary medicine programs at an institution which is a part of the Kentucky Contract Spaces Program; or

3. A program contained on the Equivalent Undergraduate Programs List ~~[402]~~; and

(c) Has not completed a baccalaureate degree.

Section 6. SAT Conversion Table. Pursuant to KRS 164.7874(3), the following SAT to ACT Conversion Table shall be used:

SAT I V+M	ACT Composite	SAT I V+M	ACT Composite	SAT I V+M	ACT Composite	SAT I V+M	ACT Composite	SAT I V+M	ACT Composite
1600	35-36	1370	31	1140	25	910	19	680	14
1590	35	1360	31	1130	25	900	19	670	14
1580	35	1350	30	1120	24	890	18	660	14
1570	35	1340	30	1110	24	880	18	650	13
1560	35	1330	30	1100	24	870	18	640	13
1550	34	1320	30	1090	24	860	18	630	13
1540	34	1310	29	1080	23	850	17	620	13
1530	34	1300	29	1070	23	840	17	610	13
1520	34	1290	29	1060	23	830	17	600	13
1510	34	1280	29	1050	22	820	17	590	13
1500	33	1270	28	1040	22	810	17	580	12
1490	33	1260	28	1030	22	800	16	570	12
1480	33	1250	28	1020	22	790	16	560	12
1470	33	1240	28	1010	21	780	16	550	12
1460	33	1230	27	1000	21	770	16	540	12
1450	32	1220	27	990	21	760	16	530	12
1440	32	1210	27	980	21	750	15	520	12
1430	32	1200	26	970	20	740	15	510	11
1420	32	1190	26	960	20	730	15	500	11
1410	32	1180	26	950	20	720	15		
1400	31	1170	26	940	20	710	15		
1390	31	1160	25	930	19	700	14		
1380	31	1150	25	920	19	690	14		

This table can be used to relate SAT I V+M scores to ACT Composite scores.

The estimates are based on the test scores of 103,525 students from fourteen (14) universities and two (2) states who took both the ACT and the SAT I between October 1994 and December 1996. Because the ACT and the SAT I have different content, students' actual scores on the ACT could differ significantly from the concordance estimates in the table.

Source: ACT, Inc. Questions about the concordance study may be directed to ACT's Research Division (319/337-1471).

January 1998

Section 7. Criteria for Supplemental Award to Noncertified, Nonpublic High School Students and to GED Students. (1) A Kentucky resident who is a citizen, national or permanent resident of the United States and who graduates from a nonpublic Kentucky high school not certified by the Kentucky Board of Education shall be eligible for a supplemental award if:

- (a) The student is not a convicted felon;
- (b) The date of the student's graduation is May 1999 or thereafter;
- (c) The student takes the ACT or SAT and has at least a minimum score as established by KRS 164.7879(3); and
- (d) The student enrolls in a participating institution within five (5) years after graduation from high school.

(2) A Kentucky resident who is a citizen, national or permanent resident of the United States and who has not graduated from either a certified Kentucky high school or a nonpublic Kentucky high school that is not certified by the Kentucky Board of Education shall be eligible for a supplemental award if:

- (a) The student is not a convicted felon;
- (b) The student's 18th birthday occurs on or after January 1, 1999;
- (c) The student takes and receives a GED diploma in Kentucky within five (5) years of attaining eighteen (18) years of age;
- (d) The student takes the ACT or SAT and achieves a minimum score for eligibility as established by KRS 164.7879(3); and
- (e) The student enrolls in a participating institution after July 1, 1999, and within five (5) years of receiving the GED diploma.

(3) A student who graduates from or attends an accredited out-of-state high school or Department of Defense school shall qualify for a supplemental award if:

- (a) The parents meet the provisions of KRS 164.7879(2)(c)1 and 2;
- (b) The student takes the ACT or SAT and achieves a minimum score for eligibility as established by KRS 164.7879(3); and
- (c) The student enrolls in a participating institution within five (5) years of graduating from or attending the accredited out-of-state high school or Department of Defense school.

(4) An eligible student who receives a GED diploma within five (5) years of attaining eighteen (18) years of age shall be eligible for a supplemental award if:

- (a) The student takes the ACT or SAT and achieves a minimum score for eligibility as established by KRS 164.7879(3); and
- (b) The student enrolls in a participating institution within five (5) years of receiving the GED diploma.

(5) A student requesting a supplemental award under this section shall notify the participating institution where the student has or intends to enroll.

(6)(a) Residency shall be determined by a participating institution in accordance with 13 KAR 2:045.

(b) A participating institution shall determine a student's eligibility for a supplemental award under this section and shall notify the Authority [KHEAA] of the student's eligibility.

Section 8. Supplemental Award. An eligible high school student who receives a supplemental award as a result of taking and receiving a GED within five (5) years of obtaining eighteen (18) years of age shall have a maximum of five (5) years eligibility beyond the date the GED is received.

Section 9. Administrative Responsibilities and Expenses of Program. (1) The Authority [CPE] annually shall determine the level of funding for expenses associated with the program and shall allocate funds from the "Wallace G. Wilkinson Kentucky Educational Excellence Scholarship Trust Fund" described in KRS 164.7877(1) and (3).

(2) The Authority [~~KDE and the KHEAA~~] annually[, ~~by June 15,~~] shall adopt [~~provide to the CPE~~] a budget proposal indicating the amount of funds available [~~requested~~] and a detailed listing of the expenditures necessary to operate the program.

(3) [~~The CPE shall notify the KDE and the KHEAA of the amount of funds available for the next fiscal year no later than April 30 of the fiscal year preceding the fiscal year that funds are to be made available.~~]

(4) The Authority [~~CPE~~] shall develop an allotment schedule for the release of the administrative funds [~~and shall notify the KDE and the KHEAA of that schedule~~].

Section 10. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Home of Record Certification, June 2005 [~~KEES 102~~], ~~September 2002~~]; [:]

(b) "Curriculum Certification, June 2005 [~~KEES 202~~], ~~September 2002~~];

(c) "Data Submission, June 2005 [~~KEES 302~~], ~~January 2003~~]; and

(d) "Equivalent Undergraduate Programs List [~~402~~]", June 2005 [~~January 2003~~].

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Authority, 100 Airport Road [~~Council on Postsecondary Education, 1024 Capital Center Drive, Suite 320~~], Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

JOHN PRATHER, Chair

APPROVED BY AGENCY: May 26, 2005

FILED WITH LRC: June 15, 2005 at 10 a.m.

CONTACT PERSON: Mr. Richard F. Casey, General Counsel, Kentucky Higher Education Assistance Authority, P.O. Box 798, Frankfort, Kentucky 40602-0798, phone (502) 696-7290, fax (502) 696-7293.